IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

Bail Appl..No. 5630 of 2007()

CRIME NO.334/07 OF HARIPAD POLICE STATION.

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PETITIONER : 1ST ACCUSED

BAIJU, AGED 38 YEARS
S/O. PRABHAKARAN
PONGADUVILAYIL VEEDU
AISWARYA NAGAR, MANGAD VILLAGE,
KOLLAM TALUK, KOLLAM DISTRICT

BY ADV. SRI.A.KRISHNAN

RESPONDENTS:

STATE OF KERALA, REPRESENTED
BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA AT ERNAKULAM

BY P.P. SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 5630 of 2007

Dated this the 19th day of September, 2007

ORDER

Application for regular bail. The petitioner along with the co-accused faces allegations under the Kerala Abkari Act. They had allegedly transported 525 litres of spirit when they were intercepted. The petitioner continues in custody from 25/7/07. The co-accused has already been directed to be released on bail as per the order dated 10/9/07 in B.A.No.5452/07.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the identical conditions as were imposed on the co-accused are imposed on the petitioner herein also and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 24/9/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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